

**FILED**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

DEC 29 2022

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA  
v.  
BARBARA CHALMERS

No. 4:22CR 286  
Judge Mazzant

## FACTUAL BASIS

The defendant, **Barbara Chalmers**, hereby stipulates and agrees that at all times relevant to the Information herein, the following facts were true:

1. The defendant, **Barbara Chalmers**, who is entering a plea of guilty, is the same person charged in the Information.
2. That the events and conduct described in the Information occurred in the Eastern District of Texas and elsewhere.
3. Beginning in or around 1990, **Chalmers** began working as a bookkeeper for several Texas-based trusts and limited liability companies, collectively known as “CFC.”
4. Beginning no later than in or around 2012, **Chalmers** knowingly devised a scheme to defraud by embezzling money from at least 11 bank accounts associated with CFC, including from a charitable foundation. Specifically, **Chalmers** used her position as a bookkeeper and fiduciary for CFC to write checks to herself. **Chalmers** deposited these checks, drawn on CFC accounts, into **Chalmers'** personal bank accounts at JP Morgan Chase, Inc. (“Chase”) and Amegy Bank of Texas (“Amegy”). Despite her false material representations to Chase and Amegy that she was authorized to receive such funds,

**Chalmers** was never authorized by any CFC representative or beneficiary to withdraw these funds.

5. During the course of the scheme, **Chalmers** took active steps to conceal her fraudulent conduct. For instance, **Chalmers** provided false paperwork to tax preparers regarding the year-end cash-on-hand numbers for various CFC accounts.

6. Chalmers spent the funds in a manner not authorized by CFC representatives or money managers. Among other things, she used over \$25 million to fund a construction business for which she was the president. She also spent over \$6 million on credit card expenses.

7. Specifically, on or about June 11, 2019, **Chalmers** deposited a \$450,000 check into her personal Amegy bank account ending in 9241. **Chalmers** wrote the check to herself, drawing on funds belonging to a CFC entity, held at Chase bank account ending in 7611. **Chalmers** knowingly engaged in this monetary transaction, which affected interstate commerce and took place within the United States, knowing the transaction involved criminally derived property that was derived from specified unlawful activity, namely wire fraud, in violation of Title 18, United States Code, Section 1343.

8. In total, **Chalmers** wrote herself at least 175 checks and embezzled at least \$29 million from CFC accounts. During the course of this scheme, **Chalmers** acted with the specific intent to defraud.

**DEFENDANT'S SIGNATURE AND ACKNOWLEDGMENT**

I have read this Factual Basis and the Information and have discussed them with my attorney. I fully understand the contents of this Factual Basis and agree without reservation that it accurately describes the events and my acts.

Dated: 11-30-22

  
\_\_\_\_\_  
BARBARA CHALMERS  
Defendant

**COUNSEL FOR DEFENDANT'S SIGNATURE AND ACKNOWLEDGMENT**

I have read this Factual Basis and the Indictment and have reviewed them with my client. Based upon my discussions with the defendant, I am satisfied that the defendant understands the Factual Basis and the Indictment.

Dated: 11-30-22

  
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TERRI MOORE  
Attorney for the Defendant